

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DARREN KEITH ASKEW :  
:  
Plaintiff : CIVIL ACTION  
:  
vs. :  
: NO. 08-CV-01662  
LEHIGH COUNTY PRISON :  
MAINTENANCE DIVISION, et al. :  
:  
Defendants :  
:

**ORDER**

AND NOW, this 6th day of March, 2009, it is hereby ORDERED that the Defendants' Motion to Dismiss (Doc. No. 16) is GRANTED.

It is further ORDERED that the Plaintiff is granted leave to amend his Complaint consistent with the Court's accompanying Memorandum Opinion, namely to plead a violation of the Eighth Amendment, actionable through Section 1983, for improper medical care, if appropriate. The Plaintiff has 30 days from the date of this ORDER to make such an amendment.

BY THE COURT:

*/s/ Thomas M. Golden*  
THOMAS M. GOLDEN, J.